

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

ERICA CAMPBELL,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	No. 19-CV-2368
	:	
LIVING BRANCHES,	:	
Defendant	:	

STIPULATION OF UNDISPUTED FACTS

1. The Plaintiff, Erica Campbell, was employed by Living Branches beginning April 18, 2017.
2. Campbell was employed by Living Branches as a Certified Medical Technician (“med-tech”).
3. While employed at Living Branches, Campbell was assigned to work as a med-tech in the Personal Care Department on the Dock Woods Campus of Living Branches.
4. The Personal Care Department on the Dock Woods Campus consists of two adjacent units; Harmony House and Oakwood Court.
5. Campbell’s employment with Living Branches ended Thursday, July 26, 2018.
6. At the time that Campbell’s employment ended, she was an hourly employee being compensated at a base rate of pay of \$16.00 per hour.
7. Campbell historically worked second shift beginning 2:30 p.m. and ending 10:30 p.m. for 7.5 hours per day along with a 30 minute, unpaid meal break.
8. Campbell was historically scheduled to work 37.5 hours per week or 75 hours per two-week pay period.
9. In her last week of work, Campbell had requested to work third shift with her work day beginning 10:45 p.m. and ending 7:00 a.m. with a 30 minute, unpaid meal break.

10. Campbell's third shift work week would have been 7.75 hours per day or 38.75 hours per week or 77.5 hours per pay period.

11. The Director of Personal Care Services is Jennifer Miller.

12. Campbell's immediate supervisor in the Personal Care Department was Malissa Yocum, Care Coordinator.

13. The nurse on duty the evening of July 25, 2108 in which Campbell objected to her work assignment was Nilam Patel, RN.

14. On the evening of July 25, 2018, Campbell became upset with her work assignment and claimed that she had not been told she would be assigned to work in Harmony House.

15. Campbell insisted that Nurse Patel call the Care Coordinator, Malissa Yocum, who was off duty and at home at approximately 11:02 p.m. to discuss her work assignment.

16. Yocum allowed Campbell to switch her work assignment the evening of July 25, 2018 from Harmony House to Oakwood Court but advise that the matter would need to be discussed the next morning.

17. Campbell's supervisors advised her that as a personal care employee, she could be assigned to work in either Harmony House or Oakwood Court.

18. In discussion on July 26, 2018, Campbell claimed that she was only hired to work in Oakwood Court and not to work in Harmony House.

19. Susan Baranowski is the Director of Human Resources for Living Branches.

20. On July 26, 2018, Susan Baranowski, Director of Human Resources, spoke with Campbell to discuss the work events which occurred on the evening of July 25, 2018.

21. On July 26, 2018, Allison Cunningham, Human Resources Generalist, issued a letter to Erica Campbell on behalf of Living Branches which letter states that Living Branches

accepted Campbell's voluntary resignation which had been given to Susan Baranowski, Director of Human Resources, via phone at 10:17 a.m.

22. Campbell does not agree with the statement "that she resigned" as contained in the July 26, 2018 letter.

EMPLOYMENT LAW FIRM OF
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Dated: 7/19/19

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